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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,252	12/28/2001	Sung Hyuk Hong	K-0370	5028
34610	7590	08/04/2005	EXAMINER	
FLESHNER & KIM, LLP			JAIN, RAJ K	
P.O. BOX 221200			ART UNIT	
CHANTILLY, VA 20153			PAPER NUMBER	

2664

DATE MAILED: 08/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/029,252

Applicant(s)

HONG, SUNG HYUK

Examiner

Raj Jain

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 16, 19 is/are rejected.
- 7) ☒ Claim(s) 5-15, 17, 18, 20-23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

Claims 1-23 examined on the merits.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 16, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Wasilewski et al (US005319707A).

Regarding claim 1, Wasilewski discloses a channel for forward transmission of a data (see Fig. 1, abstract, transmitter 18 for transmitting data or forward transmission to a receiver as appropriate) comprising:

- a header subframe containing frame mapping information of data to be transmitted to a plurality of terminals (see Figs. 1 & 15, col 2 lines 54 – 67, col 24 lines 27- each subframe vcm contains a header 288 followed by plurality of subframe virtual channel map definitions that specifies a particular virtual channel number for the subscriber to select via appropriate decoders.); and,

- data subframes containing data multiplexed therein, and to be transmitted to a plurality of terminals at the present time in correspondence to frame mapping information transmitted in advance (see Fig. 19a, col 29 lines 30-47, Fig. 19a illustrates a general data subframe, which depicts the differing data's to be transmitted called

Art Unit: 2664

"seed", each packet info 364 identifies the number of seeds to follow within a specific subframe for a given service type. See col 7 lines 44-67, and Fig. 2, data encryptors 52 use "seed" values that must be transmitted to the receiver in advance of data "seeds" so the receiver is ready to receive and decrypt and avoid unnecessary delays).

Regarding claim 16, Wasilewski discloses a method for forward transmission of a data (see Fig. 1, abstract, transmitter 18 for transmitting data or forward transmission to a receiver as appropriate) comprising the steps of:

(a) processing data to be transmitted at the present time to form sub-frames (see col 2 lines 48-67, col 3 lines 1-17, a sub-frame is consists of transport layer and program data layer, each sub-frame is formed comprising of one or more data programs forming a subframe data stream for transmission);

(b) multiplexing the formed subframes according to subframe mapping information transmitted in advance (see col 3 lines 14-17, col 7 lines 60-67, a subframe of data streams once formed is multiplexed at the encoder 16 of Fig. 1 for transmission, furthermore each subframe data is mapped which is transmitted in advance to the receiver so that it may be ready for decoding prior to actual data arriving so there is minimum delay in processing the received data); and,

(c) transmitting the multiplexed subframes, together with subframe mapping information of the subframes to be transmitted (see abstract, col 3 lines 14-55, col 17 lines 60-67, a plurality of subframes forms a superframe that is transmitted to one or

Art Unit: 2664

more remote locations as desired, see Fig. 1, transmitter 18 transmits the superframes via satellite in this case to receivers 26).

Regarding claim 2, Wasilewski discloses transmitting the mapping information at least 1 frame in advance (See col 7 lines 44-67, and Fig. 2, data encryptors 52 use "seed" values that must be transmitted to the receiver in advance of data "seeds" so the receiver is ready to receive and decrypt and avoid unnecessary delays).

Regarding claim 3, Wasilewski discloses transmitting the mapping information at least 1 frame in advance and information on positions of the multiplexed data in the frame transmitted (see Fig. 19a col 29 lines 30-47, col 3 lines 14-17, col 7 lines 60-67, a subframe of data streams once formed is multiplexed at the encoder 16 of Fig. 1 for transmission, furthermore each subframe data is mapped which is transmitted in advance to the receiver so that it may be ready for decoding prior to actual data arriving so there is minimum delay in processing the received data).

Regarding claims 4 and 19, Wasilewski discloses subframes positioned in the frame according to an order of transmission of the subframe numbers (see Fig. 15 col 24 lines 27-42, each subframe is ordered and labeled with proper definitions such as VCMD1, VCMD2, etc.).

***Allowable Subject Matter***

Art Unit: 2664

Claims 5-15,17,18, 20-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raj Jain whose telephone number is 571-272-3145.

The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.



RJ

August 3, 2005